

AO 440 (Rev. 06/12) Summons in a Civil Action (Page 2)

Civil Action No.

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (d))

This summons for (name of individual and title, if any) Charles Learywas received by me on (date) May 10/16☒ I personally served the summons on the individual at (place) Trout Point Lodgein Knoxville, MS.on (date) May 7/16

; or

☐ I left the summons at the individual's residence or usual place of abode with (name) __________, a person of suitable age and discretion who resides there,
on (date) _____, and mailed a copy to the individual's last known address; or☐ I served the summons on (name of individual) _____, who is
designated by law to accept service of process on behalf of (name of organization) _____

on (date) _____

; or

☐ I returned the summons unexecuted because _____

; or

☐ Other (specify): see attached infoMy fees are \$ _____ for travel and \$ 560.00 for services, for a total of \$ 857.8407 \$ 644.07

I declare under penalty of perjury that this information is true.

Date: _____

Donna Acker

Server's signature

Donald Acker

Printed name and title

Box 662
Shelburne, MS

Server's address

Box 1000

Additional information regarding attempted service, etc: _____

Statement of Donald C Acker in the
attempt to deliver court documents on one
Vaughn Perret and Charles Leary at
Trout Point Lodge

189 Trout Point Road
East Kempville, N.S. B5A-5X9
Canada

May 12/16

I drove to Trout Point Lodge from
Shelburne, N.S.. When arriving at the gate
next to white building it was closed. Could
not get any farther returned to Shelburne

May 17/16 arriving at 7:45 P.M. - left 8:15 P.M.

I drove to Trout Point Lodge on this time
the gate was open so I followed the road until
arriving at the lodge. As I was backing into
the parking lot a white truck was coming toward
my vehicle. I got out of the drivers door an opened
the rear door for my brief case an headed toward
the truck. At this time a fellow came towards
me and we spoke and shook hands. He asked if
I was looking for Vaughn which I replied yes. He
then said that Vaughn was inside. I asked him
if Charles was around which he replied that both
were in the lodge an pointed to the door.

I walked to the lodge door, opened it an

went inside. A man came toward me and I said are you Vaughn (I had a picture of him) which he replied yes.

I asked if Charles was around as I would like to meet with you both. He asked my name which I said Donnie. He then asked who I was with and I stated that I needed to talk to Charles. I could hear people talking so I asked if there was a office we could talk in private. I said that there was some info that I would like to talk to them both about.

at this point he said hold on I will get Charles and took of down the stairs. I waited for a long while but he did not return. I looked out in the dining area and Charles was showing the people at the table a bottle of red wine and then started pouring into their glasses. I said to Charles that I would like to talk to ~~you~~ ^{you} (I recognized him from a picture I had) but he went out of the dining area through a side door.

Still waiting in the front area for Vaughn to return but no luck. At this time I went out the door that Charles did but could not see him. I then went down the stairs that Vaughn took but there was lots of doors no sign of him or Charles. I then went back up the stairs to the front desk area. I then went out the door that Charles did and

(3)

after a few minutes I saw him coming up the outside stairway. At this point I said to Charles that I needed to talk to you as he walked away going to the door that went into the dining area. I again said Charles I would like to talk to as he was opening the door and closing it at the same time and locking it behind him before I could get it open. He stated at this time "can't you see that I am busy."

At this point I went around and through another door and at this point I saw him coming towards me and going down the stairs that Vaughn had taken. At this point I throwed the papers at him. He or Vaughn never ~~returned~~ returned. So I waited a while longer then left.

My account for service is: \$ 561.00

84.07

\$ 644.07.

RETURN

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UNITED STATES DISTRICT COURT

for the

Southern District of Mississippi

Douglas Handshoe

Plaintiff(s)

v.

Vaughn Perret, Charles Leary, Daniel Abel d/b/a
 Trout Point Lodge Ltd. & in their individual capacities,
 Progress Media Group, Ltd., Marilyn Smulders,
 Torstar Corp, National Geographic Society et al

Defendant(s)

Civil Action No.

1:15cv382 HSO-JCG

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) Charles Leary d/b/a Trout Point Lodge Ltd. of Nova Scotia
 189 Trout Point Road
 East Kemptville, NS B5A 5X9, Canada

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are: Douglas Handshoe
 Post Office Box 788
 Wiggins, MS 39577-0788

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

ARTHUR JOHNSTON

CLERK OF COURT

Date:

11-10-15

Signature of Clerk or Deputy Clerk